

---

## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

---

### DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION DEPARTEMENT VAN STAATSDIENS EN ADMINISTRASIE

No. R. 385

1 April 2008

#### AMENDMENT OF PUBLIC SERVICE REGULATIONS, 2001

The Minister for the Public Service and Administration has, under section 41 of the Public Service Act, 1994 (Promulgated under Proclamation No. 103 of 1994), amended the Public Service Regulations, 2001 (published under Government Notice No. R.1 of 2001), as amended, as set out in the Schedule.

#### SCHEDULE

Chapter 6 is hereby inserted after Chapter 5 of the Public Service Regulations, 2001:

#### "CHAPTER 6

#### ESTABLISHMENT OF GOVERNMENT COMPONENTS AND SPECIALISED SERVICE DELIVERY UNITS

##### A. FEASIBILITY STUDY

- A.1 A feasibility study for the establishment of a government component referred to in section 7A(1) or a specialised service delivery unit referred to in section 7B(1) of the Act shall as a minimum contain the following:
- (a) An institutional option assessment to determine whether a government component or specialised service delivery unit is the appropriate organisational form; and
  - (b) a business case of the preferred organisational form.
- A.2 An institutional option assessment referred to in regulation A.1(a) shall contain the following-
- (a) existing service delivery, operational and funding challenges in the department that require a different mode of service delivery, and how these would be overcome;
  - (b) measures on how service delivery and access to services would be improved;
  - (c) measures on how government policy and its strategic objectives would be best achieved by the proposed organisational form;
  - (d) the nature of the functions that would be performed and how the function would be performed more efficiently and effectively;
  - (e) potential service delivery, operational and funding risks if the organisational form is not changed; and

- (f) whether the establishment of a government component or specialised service delivery unit is the most appropriate organisational form.

**A.3** A business case referred to in regulation A.1 shall contain the following-

- (a) powers and duties that the head of the government component or specialised service delivery unit shall have in order to address service delivery challenges and to implement government policy and achieve the strategic objectives;
- (b) information regarding financial accountability arrangements and management decision making powers, delegations and authorisations that would be required for sharing of resources, including but not limited to supply chain management.
- (c) reporting requirements of the head of the government component or the specialised service delivery unit to the executive authority and the head of the relevant department;
- (d) participation of the head of the government component or specialised service delivery unit in relevant management or consultative forums of the relevant department;
- (e) if an advisory board is required, the role and functions, composition, appointment procedures, remuneration and any other matter for its effective functioning;
- (f) measures for funding the organisational form and for trading activities if required;
- (g) measures to ensure the financial viability and sustainability of the organisational form;
- (h) the cost and budgetary implications and a proposed budget;
- (i) proposed organisational structure;
- (j) envisaged service delivery outputs, measurable indicators and targets for the organisational form;
- (k) transitional arrangements and an implementation plan; and
- (l) any other matter necessary for the effective and efficient functioning of the organisational form.

**B. INTERDEPARTMENTAL ASSESSMENT COMMITTEE**

- B.1** An interdepartmental assessment committee is hereby established to assess the institutional options and the business cases of government components and service delivery units and inform the Minister of its recommendations.
- B.2** The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.

- 
- B.3 The committee shall within two months of receipt of the institutional option and the business case from the Minister, assess them and inform the Minister and the executive authority of the relevant national department or the relevant Premier of a province, of its recommendations.
- B.4 The committee shall consist of:
- (a) An employee of the Department of Public Service and Administration designated by the Minister to act as chairperson;
  - (b) a maximum of four employees designated by the Minister;
  - (c) a maximum of four employees designated by the Minister of Finance; and
  - (d) in the case of-
    - (i) a national government component or specialised service delivery unit, two employee designated by the relevant executive authority; or
    - (ii) a provincial government component or specialised service delivery unit, one employee representing the relevant Provincial Treasury and one employee representing the relevant Office of the Premier, designated by the relevant Premier.
- B.5 The committee shall at its first meeting appoint a vice-chairperson who shall act as chairperson when the chairperson is unable to perform his or her function.
- B.6 If both the chairperson and vice chairperson are absent from a meeting or unable to perform their functions, the members present must elect a person from among themselves to preside at that meeting.
- B.7 The committee shall determine the procedure for calling meetings and the procedure to be followed at meetings.
- B.8 The majority of the members of the committee constitute a quorum for a meeting of the committee, provided there are not less than five members at a meeting.
- B.9 On an equality of votes in any meeting of the committee, the chairperson has a casting vote in addition to a deliberate vote.”
-